

RECEIVED

JUL 27 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
29-10335 <u>OK</u>	Yes ☐	29-2237A <u>OK</u>	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Sherman Swim
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kimberly Whittier Williams Trust
Name of each new owner as listed on the conveyance document
c/o Greg Custer
New owner continued Name connector ☐ and ☐ or ☐ and/or
1600 Huntington Drive
Mailing address
South Pasadena CA 91030
City State ZIP
626-441-5111 gcuster@whittiertrust.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: July 12, 2011
6. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature:  Thomas J. Budge, Attorney 7-25-2011
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by  Date 7/27/2011 Receipt No. E036844 Receipt Amt. \$50.-
Approved by _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 29-2237A

Instrument # 200626
POWER COUNTY, IDAHO
07-12-2011 11:10:21 AM No. of Pages: 3
Recorded for: PIONEER TITLE POCATELLO
CHRISTINE STEINLICHT Fee: \$16.00
Ex-Officio Recorder Deputy: Linda Annen
Electronically Recorded by Simplifile

20110395SMK MH

WARRANTY DEED

FOR VALUE RECEIVED, LINDA CASHMAN-SWIM, also shown of record as LINDA C. SWIM, an individual, and LINDA L. CASHMAN-SWIM, as Personal Representative of the ESTATE OF SHERMAN H. SWIM, also shown of record as the ESTATE OF SHERMAN SWIM, deceased, whose address is 3291 Midnight Creek Road, Pocatello, Idaho 83204 (collectively "Grantor"), hereby conveys, grants and warrants to KIMBERLY WHITTIER WILLIAMS and THE WHITTIER TRUST COMPANY, as the Co-Trustees of the KIMBERLY WHITTIER WILLIAMS TRUST established February 24, 1977 and amended and restated on March 15, 2001, whose address is 1600 Huntington Drive, South Pasadena, California 91030 (collectively "Grantee") and its successors and assigns forever, the following described real property located in Power County, Idaho (hereafter the "Property"):

Parcel 1:

NENW and N1/2NE of Section 19, Township 8 South, Range 34 East, Boise Meridian Power County, Idaho

Parcel 2:

Lots 2, 3, 4 and SENW of Section 18, Township 8 South, Range 34 East, Boise Meridian Power County, Idaho

Lots 2, 3, 4; S1/2NE; E1/2SW; N1/2SE; SWSE; N1/2SESE; SENW of Section 19, Township 8 South, Range 34 East, Boise Meridian Power County, Idaho

Also a parcel of land described as: Beginning at the SW corner of the SESE of Section 19, Township 8 South, Range 34 East, Boise Meridian, Power County, Idaho, thence North 660 feet, thence East 1320 feet, thence Southwesterly to the Southwest corner of said SESE, the point of beginning.

N1/2NW, N1/2SW and SWNW of Section 20, Township 8 South, Range 34 East, Boise Meridian Power County, Idaho

Lots 1, 2 and E1/2NW of Section 30, Township 8 South, Range 34 East, Boise Meridian Power County, Idaho

SUBJECT ONLY TO the following permitted exceptions (collectively "Permitted Exceptions"):

- (1) taxes and assessments for the year 2011 not yet due and payable;
- (2) liens and assessments of the Aberdeen-American Falls Ground Water District;
- (3) Right, title and interest of the public, if any, in and to those portions of the Property falling within the bounds of roads or highways;
- (4) Easements containing certain terms, conditions and provisions affecting portions of the Property filed in the Recorder's office of Power County, Idaho and recorded on September 19, 1951 as Instrument No. 70356, recorded on September 19, 1951 as Instrument No. 70357, recorded on September 19, 1951 as Instrument No. 70358, recorded on November 12, 1974 as Instrument No. 104636, recorded on November 12, 1974 as Instrument No. 104637, and recorded on February 24, 1975 as Instrument No. 105216; and
- (5) zoning, building and use restrictions.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights (including without limitation Water Right Numbers 29-10335 and 29-2237A, as well as rights to water from Little Midnight Creek) in any way appertaining to the Property herein described as well in law as in equity.

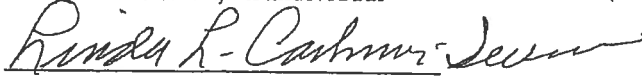
Grantor hereby, for itself and its successors and assigns, covenants and agrees with Grantee that Grantor is lawfully seized in fee simple of the Property; that Grantor has good right to sell and convey the Property in the manner set forth herein; and that Grantor is conveying good, fee simple and marketable title to all of the Property free and clear of all encroachments, easements, rights-of-way, liens, claims and encumbrances except for the Permitted Exceptions listed herein; and that Grantor shall warrant and defend the same unto Grantee forever against all claims and demands.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 12th day of July, 2011.

GRANTOR:



LINDA CASHMAN-SWIM, also shown of record as
LINDA C. SWIM, an Individual



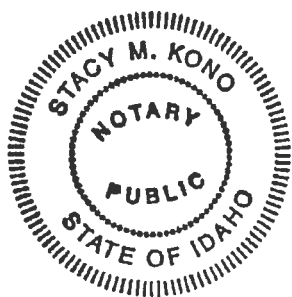
LINDA L. CASHMAN-SWIM, the Personal
Representative of the Estate of
SHERMAN H. SWIM, also shown of record as
the Estate of SHERMAN SWIM, deceased

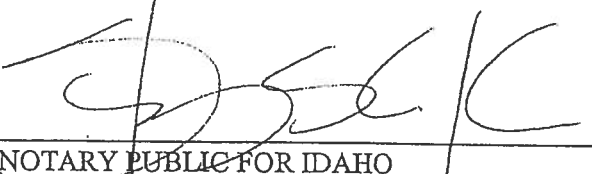
STATE OF IDAHO)

County of Bannock : ss.

On this 12th day of July, 2011, before me before me, a Notary Public in and for said state, personally appeared **LINDA CASHMAN-SWIM**, also shown of record as **LINDA C. SWIM**, an individual, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



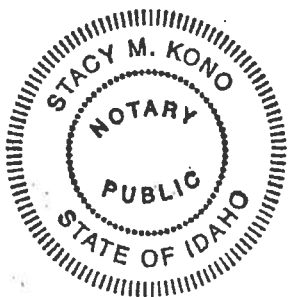

NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, ID
My Commission Expires 03/09/15

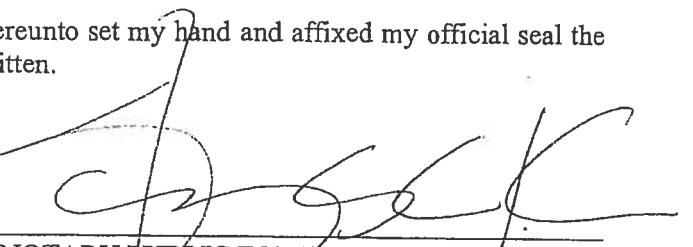
STATE OF IDAHO)

County of Bannock : ss.

On this 12th day of July, 2011, before me before me, a Notary Public in and for said state, personally appeared **LINDA L. CASHMAN-SWIM**, as Personal Representative of the **ESTATE OF SHERMAN H. SWIM**, also shown of record as the **ESTATE OF SHERMAN SWIM**, deceased, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, ID
My Commission Expires 03/09/15